

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

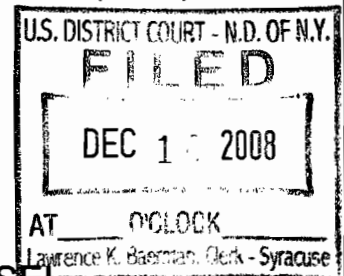
UNITED STATES OF AMERICA

vs.

6:08-MJ-468 (DEP)

JAYSON JULIAN,

Defendant.



WAIVER OF RIGHT TO SEPARATE COUNSEL

I hereby acknowledge that I have been fully advised of my right to be represented by separate counsel in connection with this criminal proceeding, as well as of the dangers associated with joint representation by an attorney who is also representing a co-defendant charged in the criminal complaint filed in the action. I further acknowledge that I have been afforded ample opportunity to consider the issue of joint representation and have been encouraged to discuss the consequences of waiving my right to separate counsel with another attorney.

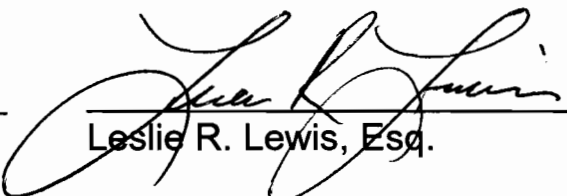
Having considered the court's statements concerning the issue, I hereby waive my right to be represented by separate counsel and agree to be jointly represented by Leslie R. Lewis, Esq., who also represents Mark Baker, a defendant in a related action. I further represent to the

court that this waiver of my right to separate counsel is knowing, intelligent and voluntary.

Dated: 12/16/08 
Jayson Julian
Defendant

ATTORNEY ACKNOWLEDGMENT

I hereby represent to the court that I have no reason to believe that Jayson Julian is not competent or capable of understanding the significance of the right to separate counsel and the waiver of that right, nor do I have any basis to conclude that his waiver of that right is not knowing, voluntary and intelligent. I further represent and assure the court that based upon my review of the facts of this case I do not reasonably foresee that there will be any actual, non-waivable conflict resulting from my joint representation of the two defendants in the action which could result in a later finding of lack of effective assistance of counsel or prejudice to either defendant.

Dated: 12/16/08 
Leslie R. Lewis, Esq.

ORDER

The waiver by Jayson Julian of his right to separate counsel in this action, which I find to be knowing, voluntary and intelligent, is hereby accepted, and Leslie R. Lewis, Esq. shall therefore be permitted to enter appearances for both Jayson Julian in this matter, and for Mark Baker in *United States v. Hill, et al.*, No. 5:08-CR-0671 (NAM).

SO ORDERED.

A handwritten signature in black ink, appearing to read "David E. Peebles", written in a cursive style.

David E. Peebles
U.S. Magistrate Judge

Dated: December 16, 2008
Syracuse, NY